

APPEAL NO. 022238
FILED OCTOBER 21, 2002

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on August 9, 2002. The hearing officer resolved the disputed issues by deciding that the respondent (claimant) sustained "a compensable injury in the form of an occupational disease, to wit a repetitive trauma injury," with a date of injury on or about _____, and that the claimant had disability for the period beginning on December 19, 2001, and continuing through January 27, 2002. The appellant (carrier) appealed, arguing that the compensable injury and disability determinations were not supported by sufficient evidence. The appeal file does not contain a response from the claimant.

DECISION

Affirmed.

The claimant had the burden to prove that she sustained a repetitive trauma injury as defined by Section 401.011(36) and that she had disability as defined by Section 401.011(16). Conflicting evidence was presented on the disputed issues of whether the claimant sustained a compensable repetitive trauma injury and whether she has had disability. The claimant testified what her job duties were as a claims processor. She testified that her entire job was to enter data into the computer and additionally testified to the number of hours she worked as well as the production standards imposed by employer. The hearing officer was persuaded by the claimant's testimony and medical evidence that the claimant sustained a repetitive trauma injury. The hearing officer additionally determined that the claimant had disability resulting from the compensable injury beginning on December 19, 2001, and continuing through January 27, 2002. The hearing officer is the sole judge of the weight and credibility of the evidence. Section 410.165(a). As the trier of fact, the hearing officer resolves the conflicts in the evidence and determines what facts have been established. We conclude that the hearing officer's determinations on the compensable injury and disability issues are supported by sufficient evidence and are not so against the great weight and preponderance of the evidence as to be clearly wrong and unjust. Cain v. Bain, 709 S.W.2d 175 (Tex. 1986).

We affirm the decision and order of the hearing officer.

The true corporate name of the insurance carrier is **TRAVELERS INDEMNITY COMPANY** and the name and address of its registered agent for service of process is

**CT CORPORATION SYSTEM
350 NORTH ST. PAUL STREET
DALLAS, TEXAS 75201.**

Margaret L. Turner
Appeals Judge

CONCUR:

Susan M. Kelley
Appeals Judge

Philip F. O'Neill
Appeals Judge